

Management Information Exchange  
43 Winter Street, 8<sup>th</sup> Floor  
Boston, MA 02108

January 2, 2003

Mattie C. Condray  
Senior Assistant General Counsel  
Office of Legal Affairs  
Legal Services Corporation  
750 1<sup>st</sup> Street, N.E., 11<sup>th</sup> Floor  
Washington, D.C. 20002-4250

Re: Comments on Proposed Revised 45 C.F.R. Part 1602

Dear Ms. Condray:

The Management Information Exchange (MIE) is a national, volunteer-driven organization whose mission is to spark excellence in leadership, management and fundraising in legal services programs serving low income clients, through training, consulting and publishing activities of the highest quality. In that capacity we have relatively frequent occasion to learn of various program management issues and concerns – whether through articles submitted for publication, in dialogues that take place at various training sessions, or in the MIE-sponsored *Management Roundtables*. Additionally, member programs often elect to share the comments that they make to OLA with MIE. We would accordingly like to respond briefly to the proposed amendments to the federal regulations that govern financial eligibility for clients of LSC-funded legal services programs.

We strongly support the proposed “codification” [at §1602.14] of the Corporation’s current practice of giving so-called submitters notice that LSC has received an FOIA request for grant applications or parts thereof, and providing current and/or prospective grantees who are affected with the opportunity to submit a timely objection pursuant to Exemption 4 of the FOIA. Among other things, this practice enhances the fairness and efficacy of the competitive bidding process required by Section 503 of Pub. L. 104-134, 110 Stat. 1321 (1996).

Similarly, MIE agrees that it is important for all government bodies to allow for fee waivers in appropriate circumstances and to make that policy a matter of record. Moreover, because grantee programs, by definition, do not

have a “commercial interest,” and since they must use all information they obtain to further a substantial public interest, MIE would urge you to consider including language explicitly stating that fees shall not be charged in the case of grantee requests.

Thank you for affording this opportunity and for your thoughtful consideration of these views.

Sincerely,

Patrick McIntyre  
For the Regulation Committee of the Board